

Resolution No. 04-2026

A RESOLUTION OF THE TEHAMA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS, ACTING AS THE GROUNDWATER SUSTAINABILITY AGENCY, SETTING A PROJECT MANAGEMENT ACTION (PMA) FEE FOR OVERDRAFTED SUBBASINS

Whereas, the District, acting as the Groundwater Sustainability Agency, is required by SGMA to avoid undesirable results including chronic lowering of groundwater levels and impacts to groundwater-dependent wells in overdrafted subbasins;

Whereas, the District acknowledges the legitimate need to take affirmative action to address documented groundwater overdraft conditions notwithstanding the highly prescriptive and burdensome regulatory reporting structure imposed by the State of California;

Whereas, SGMA compels local agencies to implement corrective measures, including demand management, water acquisition, and well mitigation actions, or risk loss of local groundwater management authority to state agencies;

Whereas, the Corning, Red Bluff, and Los Molinos Subbasins have been identified as overdrafted subbasins subject to heightened state oversight and enforcement risk;

Whereas, the District recognizes that such obligatory project management actions will address the emergent conditions within these overdrafted subbasins and thereby benefit owners of property therein which receive extracted groundwater;

Whereas, although the District acknowledges that meeting these obligations for the overdraft basins will, as the result of hydrostatic pressure, likely provide property owners of adjacent subbasins with a benefit, it finds this benefit to be a secondary, incidental benefit and the aforementioned property owners within the overdraft basins will be the primary beneficiary of these program management actions;

Whereas, the Board of Directors has reviewed a Five-Year Groundwater Sustainability Plan Implementation Budget identifying a maximum annual Project Management Action (PMA) costs of approximately \$1,395,000 for full cost recovery; and

Whereas, Water Code §§10730 and 10730.5 authorize the imposition of groundwater extraction and usage-based regulatory fees, which constitute regulatory fees under Proposition 26 and are not taxes within the meaning of Article XIII C of the California Constitution;

Now, Therefore, Be It Resolved that the Board of Directors hereby establishes and imposes a Project Management Action (PMA) Fee as a regulatory fee under Proposition 26 applicable to groundwater users within designated overdrafted subbasins - Corning, Los Molinos, Red Bluff - to fund mandatory SGMA corrective actions.

Be It Further Resolved that the Board of Directors additionally finds, to the extent required, that the PMA Fee satisfies the proportionality and cost-recovery requirements of Proposition 218, including that the fee revenues shall not exceed the cost of the programs funded and that fees are fairly apportioned based on groundwater use or other legally defensible methodologies.

Be It Further Resolved that specific PMA fee rates, calculation methodologies, service areas, exemptions, and administrative procedures are set forth in Attachment A to this Resolution, which are incorporated herein by reference and subject to amendment by subsequent Board action.

The foregoing Resolution was offered by Director _____, and seconded by Director _____ on _____ and adopted by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

I, SEAN HOUGHTBY, Ex-Officio Clerk of the Board of Directors of the Tehama County Flood Control and Water Conservation District, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said Board of Directors on the 20th day of July 2026.

Dated:

SEAN HOUGHTBY
Ex-Officio Clerk of the Board of Directors
Tehama County Flood Control
and Water Conservation District,
State of California

By: _____
Deputy Clerk Cole Houghtby